IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO. 708 OF 2007

Vasudev Barkuram Choudhari ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.Ganesh Gole, Advocate for Applicant
Mr.S.S.Pednekar,A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 20, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.I-90 of 2006 of Taloja Police Station. The said case is under Sections 307, 147, 148, 149, 324 of IPC and under Sections 37(1) and 137 of Arms Act.

3. The learned counsel for the applicant has submitted that the co-accused Gurunath Barkuram Choudhari has been granted bail on merits and the role of the present applicant and that of Gurunath is the same. Hence, he has prayed that applicant

may be granted bail on the ground of parity. The learned A.P.P. has not disputed that Gurunath was granted bail on merits and the role of Gurunath and the present applicant is the same. In this view of the matter, I am inclined to granted bail to the applicant.

4. Hence, the following order:-

i) The applicant arrested in connection with C.R.No. I-90 of 2006 registered with Taloja Police Station, Raigad shall be enlarged on bail in the sum of Rs.10,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to the codition that the applicant will remain present before nearest police station once a week on every Saturday between 7.00 p.m. and 9.00 p.m. till conclusion of the trial. The applicant shall reside out of village Ranjanpada till the conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the Investigating Officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior permission to the Investigating Officer.

iv) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order

shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

[V.K.Tahilramani, J.]